

EXHIBIT H



OFFICE OF THE DISTRICT ATTORNEY, Bronx County

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July 18, 2012

Mr. Kerry Sweet
Inspector
Legal Bureau
One Police Plaza, Room 1406
New York, NY 10038

Dear Inspector Sweet:

The District Attorney's Office has been experiencing a great deal of problems with trespassing arrest where accusatory instruments were drafted via a supporting deposition. I have received numerous complaints from the Defense bar (Legal Aid Society and the Bronx Defenders) claiming that individuals they represent for allegedly trespassing in a New York City Housing Authority (NYCHA) or Clean Halls building were either legitimate tenants or invited guests.

After learning of these allegations the assigned Assistants were instructed to fully investigate defense counsels claims and in many (but not all) of the cases the defendants arrested were either legitimate tenants or invited guest. There were several instances where defendants who were guests, had the person whom they were visiting verify this fact to the arresting officer yet the defendant was arrested anyway. In each case the supporting deposition indicated defendant did not know the name of any tenant or the apartment number.

Therefore, effective July 30, 2012 the District Attorney's Office will no longer accept trespass cases based on supporting deposition paperwork. Each trespass arrest, NYCHA or Clean Halls will require the arresting officer to be interviewed by an Assistant District Attorney or DAT Representative. This will include all DAT cases already issued that have not yet been drafted of this date. This is being done in hopes of eliminating tenants and invited guest from being prosecuted unlawfully.

If you have any questions please feel free to call me at 718-590-2083.

Sincerely,

A handwritten signature in cursive script that reads "Jeannette Rucker".

Jeannette Rucker
Chief
Complaint Room/Arraignments

JR:lvm